



8-6-04

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Gust H. Bardy et al.

Confirmation No.: 3720

Serial No.: 10/013,980

Examiner: K. Schaetzle

Filing Date: November 5, 2001

Group Art Unit: 3762

Docket No.: 1201.1135101

Customer No.: 28075

For: SUBCUTANEOUS ELECTRODE WITH IMPROVED CONTACT SHAPE
FOR TRANSTHORACIC CONDUCTION (as amended)**TRANSMITTAL SHEET**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RECEIVED**
AUG 10 2004
TECHNOLOGY CENTER R3700

Sir:

CERTIFICATE UNDER 37 C.F.R. 1.10: The undersigned hereby certified that this paper or papers, as described herein are being deposited in the United States Postal Service, "Express Mail Post Office to Addressee" having an Express Mail mailing label number of: EV 314494984 US, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 5th day of August 2004

By Kathleen L. Bookley
Kathleen L. Bookley

We are transmitting herewith the attached:

- [XX] Amendment
[XX] No additional claim fee required
[] The claim fee has been calculated as shown:

CLAIMS AS AMENDED							
	(3)	(4)	(5)	SMALL ENTITY		OTHER	
	REMAINING CLAIMS	HIGHEST PAID	EXTRA	RATE	ADD'L FEE	RATE	ADD'L FEE
TOTAL CLAIMS	-	=		X 9=	\$	X 18=	\$
INDEPENDENT CLAIMS	-	=		X 43=	\$	X 86 =	\$
() FIRST MULTIPLE DEPENDENT CLAIM				+ 145 =	\$	+ 290 =	\$
TOTAL				\$		\$	

[] A check in the amount of \$_____ is enclosed. Itemization:

Fee Code _____ \$

Fee Code _____ \$

Fee Code _____ \$

[XX] Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established.

[XX] Other: COPY OF OIPE DATE-STAMPED POSTCARD, COPY OF MARCH 11, 2004 INFORMATION DISCLOSURE STATEMENT, COPY OF MARCH 11, 2004 FORM PTO-1449, 38 SHEETS OF REPLACEMENT DRAWINGS, STATEMENT UNDER 37 C.F.R. § 1.125, MARKED-UP SPECIFICATION, AND CLEAN SUBSTITUTE SPECIFICATION.

[XX] Return Receipt Postcard (MPEP 503).

[XXXX] Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: _____

J. Scot Wickhem, Reg. No. 41,376

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P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gust H. Bardy et al. Confirmation No.: 3720
Serial No.: 10/013,980 Examiner: K. Schaetzle
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FOR TRANSTHORACIC CONDUCTION (as amended)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
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STATEMENT UNDER 37 CFR § 1.125

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By Kathleen L. Boekley
Kathleen L. Boekley

Dear Sir:

This Statement is accompanying a marked up specification and a clean substitute specification. Pursuant to 37 CFR § 1.125(b), Applicants hereby state that the substitute specification contains no new matter.

Respectfully submitted,

Gust H. Bardy et al.

By their attorney,

Date: August 5, 2004

J. Scot Wickhem
J. Scot Wickhem, Reg. No. 41,376
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This will hereby acknowledge receipt of the following documents by the Assist. Comm. of Patents and Trademarks:

Transmittal Letter, Information Disclosure Statement, Form PTO-1449 and 134 cited references

with respect to the following:

Applicant: Gust H. Bardy et al.

Serial No.: 10/013,980

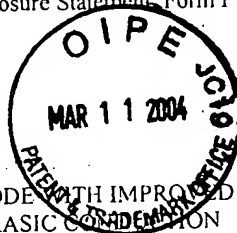
Filing Date: November 5, 2001

For: SUBCUTANEOUS ELECTRODE WITH IMPROVED CONTACT SHAPE FOR TRANSTHORASIC CORRELATION

Docket No.: 1201.1135101

DMC/klb

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Gust H. Bardy et al.

Confirmation No.: 3720

Serial No.: 10/013,980

Examiner: K. Droesch

Filing Date: November 5, 2001

Group Art Unit: 3762

Docket No.: 1201.1135101

Customer No.: 28075

For: SUBCUTANEOUS ELECTRODE WITH IMPROVED CONTACT SHAPE FOR
TRANSTHORASIC CONDUCTION

INFORMATION DISCLOSURE STATEMENT

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By Kathleen L. Boekley
Kathleen L. Boekley

Dear Sir:

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R. § 1.56, the documents listed on the attached PTO-1449 are hereby disclosed.

No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

Respectfully submitted,

Gust H. Bardy et al.

By their Attorney,

David M. Crompton

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Date: 3/11/04

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FORM PTO-1449	Atty. Docket No.: 1201.1135101	Serial No.: 10/013,980
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Gust H. Bardy et al.	
	Customer No.: 3720	
	Filing Date: November 5, 2001	Group Art: 3762

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Examiner Initial	Document No.	Date	Name	Filing Date If Appropriate
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

ES	U.S. Patent Application Serial No. 09/663,607 to Bardy et al., filed September 18, 2000.
ET	Friedman, Richard A. et al., "Implantable Defibrillators In Children: From Whence to Shock," <u>Journal of Cardiovascular Electrophysiology</u> , Vol. 12, No. 3, March 2001, pp. 361-362.
EU	Gradaus, Rainer et al., "Nonthoracotomy Implantable Cardioverter Defibrillator Placement in Children: Use of Subcutaneous Array Leads and Abdominally Placed Implantable Cardioverter Defibrillators in Children," <u>Journal of Cardiovascular Electrophysiology</u> , Volume 12, No.3, March 2001, pp. 356-360.
EV	Mirowski, M. et al., "Automatic Detection and Defibrillation of Lethal Arrhythmias-A New Concept," <u>JAMA</u> , Vol. 213, No. 4, July 27, 1970, pp. 615-616.
EW	Olson, Walter H. et al., "Onset and Stability for Ventricular Tachyarrhythmia Detection in an Implantable Pacer-Cardioverter-Defibrillator," <u>IEEE</u> , (1987) pp. 167-170.
EX	Schuder, John C., "Completely Implanted Defibrillator," <u>JAMA</u> , Vol. 214, No. 6, November. 9, 1970. p. 1123 (single sheet).
EY	Schuder, John C., "The Role of an Engineering Oriented Medical Research Group in Developing Improved Methods and Devices for Achieving Ventricular Defibrillation: The University of Missouri Experience," <u>PACE</u> , Vol. 16, January 1993, pp. 95-124.
EZ	Schuder, John C. et al., "Experimental Ventricular Defibrillation with an Automatic and Completely Implanted System," <u>Trans. Amer. Soc. Artif. Int. Organs</u> , Vol. XVI (1970) pp. 207-212.
FA	Schuder, John C. et al., "Standby Implanted Defibrillators," <u>Arch Intern. Med</u> , Vol. 127, February 1971, p. 317 (single sheet).

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FC	Tietze U. et al., "Halbleiter-Schaltungstechnik," ©Springer-Verlag (Berlin, Germany), (1991), pp. 784-786.
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EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.